

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: CHICAGO BOARD OPTIONS
EXCHANGE VOLATILITY INDEX
MANIPULATION ANTITRUST
LITIGATION

This Document Relates to All Actions

Case No. 1:18-cv-04171

MDL No. 2842

Honorable Manish S. Shah

PLAINTIFFS' STATUS REPORT

Pursuant to this Court's orders requesting a status report and proposed next steps (Dkts. 362, 368), Co-Lead Counsel have conferred, including with each other, the Steering Committee, and the named Plaintiffs.

Considering, among other things, (i) the Court's decision that there was not "good cause" for identifying discovery because "there is too much for plaintiffs to learn before they can craft a complaint that names names" (Dkt. 311 at 3), (ii) this Court's and the Seventh Circuit's rulings on many aspects of the complaint more generally, and (iii) the available information about which we are aware from non-CBOE sources, we do not at this time see "another way to advance [Plaintiffs'] case against the Does." *Id.*

At this time, no Doe has actually been identified nor has any Doe filed any responsive papers. Accordingly, in terms of a "proposal for next steps" (Dkt. 362), Plaintiffs are filing a notice of voluntarily dismissal, without prejudice, with respect to the Doe Defendants. Date: September 12, 2022

Respectfully submitted:

/s/ Kimberly A. Justice

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